

## Response to Rules Committee Member Questions Regarding the Street and Sidewalk Maintenance PSOW

1. *Question: Can you provide performance measures for the last 3 years?*

**Response:** See below.

Activity	FY09	FY10	FY11
1. Respond to and repair 100 percent of sidewalk tripping hazards within 48 hours	48 hours	48 hours	48 hours
2. Respond to and repair 100 percent of emergency tree trimming requests within 48 hours	48 hours	48 hours	48 hours
3. Maintain an average time of eight days for all pothole repairs	3 days	6 days	8 days
4. Maintain an average time of 17 days for all minor asphalt repairs	10 days	7 days	17 days
5. Perform weed abatement services within two weeks of request	4 days	14 days	5 days
6. Perform existing lane-line re-striping every six months for major streets	6 months	6 months	6 months
7. Maintain a five day average for manufacturing of signs	5 days	5 days	5 days
8. Respond to requests from Risk Management's Public Liability division within 10 working days of receipt	Yes	Yes	Yes
9. Provide personnel and equipment in emergency situations to other City departments such as; the Fire-Rescue, Police, and Homeland Security departments, as part of the City's Search & Rescue Team within two hours of request	Emergency related/met during 2007 fires		
10. Maintain a six day response time for all requests of graffiti removal	8 days	4 days	4 days

2. *Question: Are any of these services tied to our Municipal Storm Water Permit?*

**Response:** No, none of the services as listed in the PSOW are directly tied to the Municipal Storm Water Permit. However, when performing work, the Division is required to implement Best Management Practices (BMPs) to protect water quality (see question 3).

3. *Question: Are there specific environmental standards that need to be met and who will monitor those?*

**Response:** Yes, the Division must adhere to the BMPs of the Municipal Storm Water Permit. This includes items such as locating the storm drains before starting work in order to prevent pollutants from entering and making sure to sweep up municipal areas after activities. The required BMPs for Street Division are contained in Section 6.14 of this document: (<http://www.sandiego.gov/stormwater/pdf/jurmpfinal.pdf>). It should be noted that we expect all current city employees and private contractors to adhere to the BMPs on work that they currently conduct. Adherence to BMP's is monitored by supervisors of City crews and by resident engineers for private contractors performing work within the public right. The monitoring of the winning bidder's work will be done by supervisors for City crews or by the contract monitoring administrator for private contractors.

4. *Question: What do we budget for the 50/50 sidewalk program?*

**Response:** Approximately \$250K, however, the demand for 50/50 sidewalk work has declined over the past few years.

5. *Question: Are all of the services listed in this PSOW services currently provided by City employees?*

**Response:** The vast majority of graffiti removal services requested of the Street Division are performed by City staff. In rare occasions, if Street Division is unable to remove the graffiti due unavailability of equipment or

graffiti is located in environmentally sensitive areas such as graffiti on bridges over waterways; the Division solicits the help of a private contractor. However, Neighborhood Code Compliance Department (NCCD) has a contract with Urban Corps for graffiti removal. Street Division includes installation of traffic striping and pavement markings on newly resurfaced streets in the resurfacing contracts. Urban Corps also currently performs some of the more extensive weed abatement work depending on urgency and availability of funding.

6. *Question: "Is an eight day response time for pothole repair appropriate? Could a faster response time be met?"*

**Response:** The eight day is the response time based on the FY11 available pothole data. In general, potholes can be repaired within 72 hours after they have been assigned to a crew; however, average response time is impacted by increased pothole reporting due to major rain storms and media events. In addition, response time is impacted by availability of equipment and staff.

7. *Question: "Is a two week response time for weed abatement satisfactory?"*

**Response:** Two weeks includes the interval of time between when crews spray the weeds with herbicides and return to remove the weeds after they are dead. Typically, requests are reviewed and sites inspected within two days of receipt of the request. Weed abatement is handled by both in-house crews and contracts with Urban Corps depending on size and location of the area needing service.

8. *Question: "Does a 48-hour response time for emergency tree trimming provide fast enough service in an emergency?"*

**Response:** The 48 hours response time is to address 100% of the urgent tree trimming work. Over 90% of the requests are addressed within 24 hours.

9. *Question: "It seems like there might be some confusion or overlap between what is considered repair vs. maintenance. How do you plan to minimize this confusion?"*

**Response:** The preliminary statement of work presents the City Attorney's sorting of the functions. The Statement of Work Team will work closely with the City Attorney's office in preparing the more detailed final Statement of Work to ensure clarity in the sorting of work subject to Charter sections 94 and 117c.

10. *Question: "How will minor asphalt repairs vs. larger asphalt repairs be defined? (page 7 sub-item 4)"*

**Response:** Minor asphalt repair would be considered any repair that does not require the repaving of an entire block or more.

11. *Question: "In relation to performance standard #9, is there a concern about an outside vendor providing personnel and equipment in emergency situations to our public safety departments? Are there any liability or performance issues?"*

**Response:** An outside vendor would be held to the same standards as a City employee and would be in danger of losing their contract if they did not comply with all standards. Therefore, the City would not view there being any more concern, liability, or performance issues than there is with City employees performing the function. Some insulation of liability can be achieved with a contract with independent contractors, as the City requires independent contractors to indemnify and hold harmless the City for the contractor's actions, and the contractors are required to provide insurance that meets the City's requirements. That insurance would cover all services under the contract, including the emergency services.

12. *Question: "Page 2 of the Report mentions Code Compliance Officers- will they be under City control and has the City Attorney reviewed the positions that would be considered inherently governmental?"*

**Response:** We do not intend to include the issuance of citations as the City Attorney advises that an independent contractor cannot do that work. That does not preclude independent contractors from reporting and documenting situations for the City that may result in notices of violations issued by the City.

13. *Question: "Coordination with other City departments is a key issue. What metrics will be put in place to establish and then evaluate interdepartmental coordination?"*

**Response:** The newly formed Admin and Right of Way Division of the Transportation and Storm Water Department is in the process of affirming and establishing policies, guidelines, and procedures, and monitoring processes to ensure proper coordination of the right of way projects. The winning bidder will be required to comply with the coordination requirements. This will be detailed in the Statement of Work.

14. *Question: What certifications are necessary to receive National Incident Management System (NIMS) training for FEMA reimbursements?*

**Response:** There is no certification required to receive FEMA reimbursement and we can revise the PSOW accordingly to avoid giving that impression.

15. *Comment: "Routine tree trimming should be included as a performance standard (page 5, sub-item 4)."*

**Response:** Routine tree trimming is not performed at this time due to budget reductions. When funding was available, this work was performed utilizing private contractors.

16. *Request: "Identify additional items in street right-of-way, such as street cushions and identify them as a repair or maintenance function."*

**Response:** Readjusting crash cushions, replacing a broken part such as broken cable or bolt would be considered maintenance and replacing the entire device would fall under section 94.

